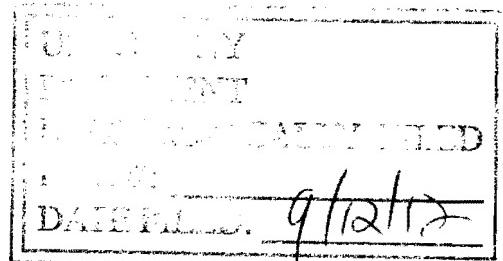


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 IN RE REFCO SECURITIES LITIGATION : 07 MDL 1902 (JSR)
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 :
 KENNEITH M. KRYS, et al., :
 : 08 Civ. 7416 (JSR)
 Plaintiffs, :
 :
 -v- :
 :
 ROBERT AARON, et al., :
 :
 Defendants. :
 ----- x

JED S. RAKOFF, U.S.D.J.



On August 7, 2012, Special Master Daniel J. Capra issued a Report and Recommendation in the above-captioned case recommending that the third-party complaint filed by Derivatives Portfolio Management LLC, et al., against Andrew Feighery be dismissed with prejudice, or alternatively that summary judgment be granted in Feighery's favor.

Neither party has filed any objection to the Report and Recommendation. Nevertheless, the Court has considered the entire matter de novo. Having done so, the Court finds itself in agreement in all material respects with Special Master Capra's excellent Report and Recommendation and hereby adopts it in full as if incorporated herein. The Clerk of the Court is directed to enter judgment dismissing the third-party complaint against Mr. Feighery and to close document number 268 on the docket of this case.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
September 11, 2012